

the bill would make the DOE budget appear to be smaller, but would not change the substantive relationship between DOE and FERC or save the Government money.

Because I believe the proposed legislation achieves no substantive purpose, I will not introduce this legislation. However, I acknowledge receipt of the proposed legislation and ask that its text be printed in the RECORD as part of this statement.

The text follows:

#### PROPOSED BILL

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Energy Regulatory Commission Act of 1995".

#### SEC. 2. TRANSFER OF THE FEDERAL ENERGY REGULATORY COMMISSION.

The Federal Energy Regulatory Commission established by section 204 and title IV of the Department of Energy Organization Act (42 U.S.C. 7134, 7171-7177) is transferred outside the Department of Energy. The Commission shall continue to be an independent regulatory commission with the same organization, functions, and jurisdiction as it had prior to the effective date of this Act, except as is otherwise provided in this Act.

#### SEC. 3. AUTHORITY OF COMMISSION.

(a) Except as is provided in subsection (b), there are transferred to and vested in the Federal Energy Regulatory Commission all functions and authority of the Secretary of Energy and the Department of Energy under the—

- (1) Federal Power Act (16 U.S.C. 791a-825r),
- (2) Interstate Commerce Act (title 49, United States Code, App.) related to transportation of oil by pipeline,
- (3) title IV of the Natural Gas Policy Act of 1978 (15 U.S.C. 3391-3394), and
- (4) Natural Gas Act (15 U.S.C. 717-717w).

(b) The Secretary of Energy shall retain the authority—

- (1) under section 402(f) of the Department of Energy Organization Act (42 U.S.C. 7172(f));
- (2) to initiate rulemaking proceedings before the Federal Energy Regulatory Commission under section 403 of the Department of Energy Organization Act (42 U.S.C. 7173); and
- (3) to intervene as a matter of right in Federal Energy Regulatory Commission proceedings under section 405 of the Department of Energy Organization Act (42 U.S.C. 7175).

(c) After the effective date of this Act, the Federal Energy Regulatory Commission shall not exercise authority or jurisdiction under—

- (1) section 503(c) of the Department of Energy Organization Act (42 U.S.C. 7193(c)), except for a remedial order or a proposed remedial order pending before the Department or the Commission on the effective date of this Act;
- (2) subsection 402 (d) and (e) of the Department of Energy Organization Act (42 U.S.C. 7172 (d) and (e)), except for a matter pending before the Commission on the effective date of this Act, or which by that date has been assigned to the Commission with its consent under section 402(e);
- (3) section 504(b) of the Department of Energy Organization Act (42 U.S.C. 7194(b)), except for a review pending before the Commission on the effective date of this Act; or
- (4) section 404 of the Department of Energy Organization Act (42 U.S.C. 7174).

(d) Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended by—

- (1) striking "For purposes of subsection (a)," and inserting "Subsection (a) shall not apply to" and

(2) striking all that follows "trade in natural gas," and inserting "except to the extent provided by the President by Executive Order.".

(e) Notwithstanding section 401(j) of the Department of Energy Organization Act (42 U.S.C. 7171(j)), the Federal Energy Regulatory Commission shall submit budget requests and legislative recommendations directly to the Office of Management and Budget.

(f) The Inspector General for the Department of Energy shall serve as the Inspector General for the Federal Energy Regulatory Commission. The Federal Energy Regulatory Commission shall reimburse the Department of Energy Inspector General for the cost of annual audits of Commission financial statements that the Department Inspector General performs or contracts with another person to perform in the course of fulfilling the duties as Inspector General of the Commission.

#### SEC. 4. EFFECTIVE DATE.

This Act takes effect on October 1, 1996.●

#### PARAMOUNT CHIEF LETULI TOLOA, PRESIDENT OF THE SENATE OF AMERICAN SAMOA

● Mr. INOUE. Mr. President, it is my sad duty to advise my distinguished colleagues of the passing of a great friend of our Nation and a great leader of the people of American Samoa. On January 30, 1996, Paramount Chief Punefu-ole-motu Letuli Toloa peacefully passed away at his home after over four decades of public service.

Since 1989 until his untimely death, Chief Letuli Toloa served as president of the senate of American Samoa. He was a retired U.S. Coast Guardsman, after more than 20 years of service. He served as governor of his district from 1974 to 1977 and was appointed commissioner of public safety for American Samoa in 1978. In 1981, Chief Letuli Toloa became a senator from his district and 8 years later was elected by his peers to be senate president.

As a cultural and government leader, Chief Letuli Toloa did his utmost to protect the culture of American Samoa from the negative aspects of western influence and culture. This difficult task was carried out with great diplomacy. The fa'aSamoa continues to survive because of great leaders like Chief Letuli Toloa.

In addition to his distinguished government service, Chief Letuli served for many years as deacon elder for his church. He will be remembered as a kind and gentle man who was noted for his great skill as a peacemaker in his extended family, in government, in his village and in his district. Though endowed with great power, he was always humble, and never succumbed to arrogance or vanity.

I have had the pleasure of working with the son of Chief Letuli, who mirrors the many virtues and strengths of his great father.

Paramount Chief Letuli Toloa is survived by his wife, Saolotoga Savali Letuli, 6 children, and 10 grandchildren. American Samoa has lost a great leader, and America has lost a good friend.●

#### RURAL MANAGED CARE COOPERATIVES

● Mr. HATFIELD. Mr. President, real health care reform has eluded us the past several years and there are sectors of our population that are suffering. Today I speak of a particular segment of our society that, at least in discussions of health care, is too often overlooked—rural America. Rural communities face the unique challenge of obtaining health care in isolated areas. Economic depression, geographic isolation, an inability to retain qualified providers, and a lack of primary care facilities are a few of the barriers to quality health care in our rural and agricultural sectors. To meet this challenge, I have filed an amendment to support the development of rural managed care cooperatives—a small investment in the health of our farmers, their families and all those who make up the communities we call rural America.

There is no dispute that the economic base and the economic vitality of a given community is directly correlated to the health of the individuals who serve it. As we discuss the farm bill, under whatever guise it may be considered, we must not forget this important fact. The health of our farm industry is of the utmost importance, but it must not be separated from the health of the men and women who support it.

Cooperatives, in one form or another, have been second nature to farming communities for over a century. Whether farmers join together to form a purchasing cooperative, one of the most common types, or a marketing cooperative, the style of business has proven itself fair, efficient, and effective. Furthermore, its laws of operation translate remarkably well to sectors such as housing, service, and even rural health care.

Make no mistake. This idea of a rural health care cooperative is not new. In 1929, Elk City, OK, became home to the first health maintenance organization run by the farmers cooperative. Since then, several attempts to create rural health cooperatives have failed as a result of being unable to meet the necessary startup costs. My amendment provides this startup support.

It would allow the Secretary of Health and Human Services, acting through the Health Resources and Services Administration and the Secretary of Agriculture, acting through the Rural Business and Cooperative Development Service, to award competitive grants to those communities which wish to form a rural managed care cooperative. The purpose of the cooperative is to establish a structure and approach that will keep rural hospitals and health care systems financially sound and competitive with urban health care systems.

Especially in recent years, rural areas have found it increasingly difficult to attract the physicians and other health care providers necessary

to meet even minimum community health standards. This shortage of providers results from the inability of rural communities to compete with comparatively rich urban markets. The resources of these larger markets are alluring incentives for health care providers to avoid or stray away from their rural practices. By establishing a systematic case management and reimbursement system designed to support the communities' needs, a cooperative will provide an effective framework for negotiating contracts with payers and a framework for assuring a defined level of quality.

Through the combination of medical resources, streamlined managerial and reimbursement responsibilities, and shared liability, rural managed care cooperatives have proven themselves able to attract health care providers, thus improving access to and quality of rural care and enhancing the economic vitality of rural health care systems and, commensurately, the economic vitality of surrounding rural industries.

Of concern to participants in such cooperatives is the threat of antitrust lawsuits. Such a threat serves to undermine the goal of rural managed care cooperatives. While the Capper-Volstead Act of 1922 recognized farmers' rights to form cooperatives without violating antitrust laws, these rights have not transferred to rural health care providers. Therefore, language in my amendment would protect those providers who participate in cooperatives from antitrust laws. This antitrust law exemption is necessary to facilitate the development of rural networks and developments.

More than once, I have expressed my concern for the crisis in rural health care. Between 1989 and 1993, 141 rural community hospitals have closed. In my State alone, five rural hospitals have closed since 1986 and several others face the threat of closure. Rural health care cooperatives are not the panacea to this crisis, but it is a dose potent enough to make a difference. As we consider the health of our Nations' farm industry, I would urge us to remember the health of the rural communities which house it.●

#### HONORING MILWAUKEE'S SESQUICENTENNIAL

● Mr. FEINGOLD. Mr. President, I rise to pay tribute to a great American city, Milwaukee, WI, on its birthday.

Yesterday, Milwaukee celebrated the 150th anniversary of its incorporation.

The residents of that small trading center of 1846 would be astonished if they walked the streets of the lively, diverse city of more than 625,000 people today.

Milwaukee was born as a city during a very important year in Wisconsin history. Congress passed enabling legislation admitting Wisconsin to the Union in 1846, and delegates gathered that year in Madison for the State's constitutional convention.

Milwaukee sits astride the Milwaukee, Menomonee, and Kinnickinnic Rivers on Lake Michigan at the site of three former settlements—Juneautown, Kilbourn and Walker's Point—that themselves grew up in the area that had been camping grounds of the indigenous Native American population, including members of the Potawatomi, Ottawa, Chippewa, and Menomonee nations. French explorers, including, notably, Father Jacques Marquette, began visiting the area in the late 1600's, and by the mid-1700's, a trading post had been established.

Mr. President, vigorous commerce has been central to Milwaukee's existence from its beginning. What was to become Milwaukee began as three competing commercial ventures by Byron Kilbourn, a surveyor; George Walker, a trader and land speculator; and a fur trader, Solomon Juneau, who brought along a partner, Morgan Martin. By the late 1830's, each venture had spawned individually incorporated settlements whose inhabitants competed fiercely, even coming to blows during local hostilities that flared up into the Great Bridge War of 1845.

Realizing that conflict was not the handmaiden to progress, all three settlements eventually agreed to form one city, Milwaukee.

Mr. President, Milwaukee, once incorporated, grew quickly; its population soaring from about 20,000 in 1850 to more than 285,000 by the turn of the century and to more than 575,000 by 1930.

Immigrants came in several waves, each group establishing its unique imprimatur on the city. In the early 1800's, they were mostly New Englanders and New Yorkers whose roots reached back to England. The first African-American settler, a man named Joe Oliver, arrived in 1835 and worked for Solomon Juneau. By the middle of the 1840's, German immigrants were arriving at the rate of more than 1,000 per week. Irish immigrants arrived, too, settling largely in the city's third ward, on the southeast side of the downtown. The Polish community grew quickly in the late 19th century, giving the South Side its character. The city was eventually populated with settlers from Italy, Hungary, the Balkans, Mexico, nearly every point on the compass. In terms of the diversity of ethnic backgrounds of its residents, Milwaukee is as cosmopolitan a city as one can find.

By the arrival of the Civil War, Milwaukee had become a busy center for the quintessential Midwestern hog and wheat industries. In 1868, an iron and steel mill was built south of the Milwaukee River, kicking off a vigorous industrialization. By 1890, the leading industry was the one for which Milwaukee is probably best-known throughout the world—brewing.

Nowadays, the city is the home to companies like Harley-Davidson, Miller Brewing, Master Lock and North-

western Mutual Life Insurance. Area firms annually create goods with an aggregate value of approximately \$19 billion.

Mr. President, Milwaukee also has had a lively political history, not just limited to Democrats and Republicans. Israeli Prime Minister Golda Meier grew up and was educated in Milwaukee before leaving to later make her mark in history. From 1910 through 1960, several socialists were elected mayor, running the city for 38 of those 50 years. One of them, Frank Zeidler, was the city's chief executive from 1948 until 1960. Elected to office on a public enterprise program, he doubled the city's size from about 48 square miles to about 96 square miles with an energetic annexation program.

Stability has been one hallmark of Milwaukee government, earning the city a reputation for efficiency, honesty and fiscal responsibility, traits that would serve any government well. Three men—Daniel Webster Hoan, Frank Zeidler, and Henry Maier—served as mayor for a total of 64 years.

Milwaukee is the home of some wonderful architecture, from some of the impressive homes along Lake Drive to city hall. The city boasts an array of cultural opportunities, including its symphony, a zoological park, the Pabst Theatre and big-league basketball and baseball franchises, as well as other sports teams.

Like all modern cities, Milwaukee faces challenges in a rapidly-changing, ever-more-complex world, but, given what I know of the character of the people who live there, I am confident Milwaukee will rise to those challenges.

So, Mr. President, let me say, happy anniversary, Milwaukee, and my best wishes for many more.●

#### GRACE SOOTHES MOTHER NATURE

● Mr. MOYNIHAN. Mr. President, last month the people of the Catskills region suffered some of the worst floods of their history. The waters swept away homes and property, roadways and bridges, schools, and businesses. There was injury and death. But the people endured with grace and courage and, as a recent editorial by Paul Smart in the Mountain Eagle attests, they have harnessed that same spirit to begin rebuilding their dreams.

Mr. President, I ask that this editorial be printed in the RECORD following my remarks.

The editorial follows:

[From the Mountain Eagle, Tannersville, NY]

#### THE FORCE OF NATURE

The past week has been a wearying one for us here in the Catskills. Friday saw us all battling against floodwaters. Saturday morning was a time of assessment and reassessment. By Sunday, clean-up had begun.

Driving around our coverage region, which enfolds most of the damaged areas, the largeness of real disaster crept up on us. Snapping